

REMARKS

Claims 1-22 are pending in the present application. In the Office Action, claim 1 was rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Holeman (U.S. Patent No. 6,934,876). Claims 2-4, 8-12, and 16 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Holeman in view of Leatherbury (U.S. Patent Application Publication No. 2002/0136231). Claims 5-7 and 13-15 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Holeman in view of Leatherbury and further in view of Dutta (U.S. Patent No. 6,587,443). Claim 19 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Holeman in view of Kall (U.S. Patent No. 6,957,876). Claims 17-18 and 20-22 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Holeman in view of Kall and Leatherbury. The Examiner's rejections are respectfully traversed.

Independent claims 1, 2, 9, 16, 17, and 19 set forth, among other things, determining at least one relative delay between at least two user equipment (or users) and transmitting a signal identifying a time at which the information is permitted to be transmitted based on the relative delay. In contrast, Holeman describes techniques for avoiding collisions between information transmitted by different entities. Accordingly, Holeman describes delaying transmission of a current unit of an identifier. During the delay time period, it may be determined whether data is being transmitted and, if so, a registration process may be withdrawn. See Holeman, col. 3, ll. 20-27. However, Holeman does not describe or suggest determining at least one relative delay between at least two user equipment. Furthermore, Holeman does not describe or suggest transmitting a signal identifying a time at which the information is permitted to be transmitted based on the relative delay.

For at least the aforementioned reasons, Applicants respectfully submit that the present invention is not anticipated by Holeman and request that the Examiner's rejection of claim 1 under 35 U.S.C. § 102(b) be withdrawn.

Moreover, it is respectfully submitted that the pending claims are not obvious in view of the cited references. To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974). As discussed above, Holeman does not describe or suggest determining at least one relative delay between at least two user equipment. Furthermore, Holeman does not describe or suggest transmitting a signal identifying a time at which the information is permitted to be transmitted based on the relative delay.

Leatherbury describes determining a transmit offset value that represents the number of upstream symbol periods from receipt of a synchronization mark to the beginning of slot 0. The transmit offset value compensates for a propagation delay. See Leatherbury, paragraph [0081]. Dutta describes transmitting signals that identify frames for information transmission. Kall describes transmitting signals that request permission to transmit information. However, none of the secondary references describe or suggest determining at least one relative delay between at least two user equipment or transmitting a signal identifying a time at which the information is permitted to be transmitted based on the relative delay.

For at least the aforementioned reasons, Applicants respectfully submit that the prior art of record fails to teach or suggest all the limitations of the claimed invention. Accordingly, Applicants submit that the present invention is not obvious over the prior art of record and request that the Examiner's rejections of claims 2-22 under 35 U.S.C. § 103(a) be withdrawn.

For the aforementioned reasons, it is respectfully submitted that all claims pending in the present application are in condition for allowance. The Examiner is invited to contact the undersigned at (713) 934-4052 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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